



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB1623

Introduced 2/23/2005, by Sen. Martin A. Sandoval

SYNOPSIS AS INTRODUCED:

New Act

Creates the Consular Identification Document Act. Defines "consular identification document" as an official identification card issued by a foreign government through its consular offices to identify a foreign national who is living outside of that nation. Provides that each State agency and officer and unit of local government, when requiring members of the public to provide identification, shall accept a consular identification document as valid identification of a person, with specified exceptions. Provides that a State agency or officer or a unit of local government is not prohibited from requiring: additional information from persons in order to verify a current address or other facts that would enable the State agency or officer or unit of local government to fulfill its responsibilities, with specified exceptions; fingerprints for identification purposes under circumstances where the State agency or officer or unit of local government also requires fingerprints from persons who have a driver's license or Illinois Identification Card; or additional evidence of identification if the State agency or officer or unit of local government reasonably believes that the consular identification document is forged, fraudulent, or altered, or the holder does not appear to be the same person on the consular identification document. Provides that the use by a State agency or officer or a unit of local government of information collected from, or appearing on, a consular identification document is subject to the same privacy and disclosure limitations that apply to the Illinois Identification Card.

LRB094 05732 WGH 42105 b

1 AN ACT concerning identification.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Consular Identification Document Act.

6 Section 5. Definition. As used in this Act, "consular
7 identification document" means an official identification card
8 issued by a foreign government through its consular offices for
9 the purpose of identifying a foreign national who is living
10 outside of that nation.

11 Section 10. Acceptance of consular identification
12 document.

13 (a) When requiring members of the public to provide
14 identification, each State agency and officer and unit of local
15 government shall accept a consular identification document as
16 valid identification of a person.

17 (b) The requirements of subsection (a) do not apply if:

18 (1) a federal law, regulation, or directive or a
19 federal court decision requires a State agency or officer
20 or a unit of local government to obtain different
21 identification;

22 (2) a federal law, regulation, or directive preempts
23 state regulation of identification requirements; or

24 (3) a State agency or officer or a unit of local
25 government would be unable to comply with a condition
26 imposed by a funding source which would cause the State
27 agency or officer or unit of local government to lose funds
28 from that source.

29 (c) Nothing in subsection (a) shall be construed to
30 prohibit a State agency or officer or a unit of local
31 government from:

1 (1) requiring additional information from persons in
2 order to verify a current address or other facts that would
3 enable the State agency or officer or unit of local
4 government to fulfill its responsibilities, except that
5 this paragraph (1) does not permit a State agency or
6 officer or a unit of local government to require additional
7 information solely in order to establish identification of
8 the person when the consular identification document is the
9 form of identification presented;

10 (2) requiring fingerprints for identification purposes
11 under circumstances where the State agency or officer or
12 unit of local government also requires fingerprints from
13 persons who have a driver's license or Illinois
14 Identification Card; or

15 (3) requiring additional evidence of identification if
16 the State agency or officer or unit of local government
17 reasonably believes that: (A) the consular identification
18 document is forged, fraudulent, or altered; or (B) the
19 holder does not appear to be the same person on the
20 consular identification document.

21 Section 30. Privacy and disclosure limitations. Use by a
22 State agency or officer or a unit of local government of
23 information collected from, or appearing on, a consular
24 identification document is subject to the same privacy and
25 disclosure limitations that apply to the Illinois
26 Identification Card.